

1 ANTHONY L. PRESS (State Bar No. 125027)  
2 BENJAMIN J. FOX (State Bar No. 193374)  
3 WENDY J. RAY (State Bar No. 226269)  
4 MORRISON & FOERSTER LLP  
5 555 West Fifth Street, Suite 3500  
6 Los Angeles, California 90013-1024  
7 Telephone: 213.892.5200  
8 Facsimile: 213.892.5454  
9 APress@mofo.com; BFox@mofo.com;  
10 WRay@mofo.com

11 Attorneys for Plaintiffs  
12 KONAMI DIGITAL ENTERTAINMENT, INC. and  
13 KONAMI CORPORATION

14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA

16 KONAMI DIGITAL ENTERTAINMENT,  
17 INC. and KONAMI CORPORATION,

18 Plaintiffs,

19 v.

20 VINTAGE SPORTS CARDS INC.;  
21 THE UPPER DECK COMPANY, a  
22 California Corporation; THE UPPER  
23 DECK COMPANY, a Nevada Corporation;  
24 THE UPPER DECK COMPANY, LLC;  
25 and DOES 4 – 10, inclusive,

26 Defendants.

No. CV 08-06630 VBF PJWx

**PERMANENT INJUNCTION**

[Filed Concurrently With the  
Notice of Conditional Settlement  
Between Plaintiffs and Vintage  
Sports Cards Inc. and Stipulation  
for Issuance of a Permanent  
Injunction]

Action Filed: October 8, 2008

1           The Court, having reviewed the Notice of Conditional Settlement between  
2 plaintiffs Konami Digital Entertainment, Inc. and Konami Corporation (together,  
3 “Konami”) and Vintage Sports Cards Inc. (“Vintage”) and these parties’ Stipulation  
4 for Issuance of Permanent Injunction, as well as the record in this action, and good  
5 cause appearing, IT IS HEREBY ORDERED THAT:

6           (1) Vintage, its partners, officers, directors, employees, agents, and  
7 representatives and all persons, firms and corporations in active concert or  
8 participation with any of them, are enjoined from counterfeiting, infringing,  
9 distributing or otherwise using without Konami’s authorization the Konami  
10 trademarks and any Yu-Gi-Oh! Trading Card Game (“Yu-Gi-Oh! TCG”) works, by  
11 manufacturing or causing to be manufactured, importing or causing to be imported,  
12 reproducing or causing to be reproduced, purchasing or causing to be purchased,  
13 distributing or causing to be distributed, advertising or causing to be advertised, or  
14 offering for sale or selling, any counterfeit or infringing Yu-Gi-Oh! TCG cards or  
15 other counterfeit merchandise bearing the Konami trademarks, or any confusingly  
16 similar mark;

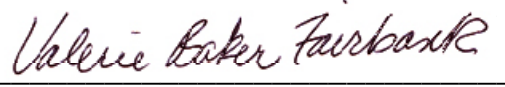
17           (2) Vintage and all persons, firms and corporations in concert or  
18 participation with them, as identified in Paragraph 1 above, are further enjoined  
19 from distributing, shipping, transporting, sharing, offering for sale, selling, altering  
20 or disposing of any computer files, digital files, computer discs, master copies, print  
21 molds, dye cuts or other materials or instrumentalities used to manufacture  
22 counterfeit or infringing Yu-Gi-Oh! TCG cards or other merchandise bearing the  
23 Konami trademarks, as well as all labels, signs, prints, packages, receptacles,  
24 promotional and other material that display or promote counterfeit or infringing Yu-  
25 Gi-Oh! TCG cards or other counterfeit merchandise bearing the Konami  
26 trademarks, or any confusingly similar mark; and

27           (3) Until the final disposition of this litigation between all parties  
28 (including non-settling parties), Vintage, its partners, officers, directors, employees,

1 agents, and representatives and all persons, firms and corporations in active concert  
2 or participation with any of them, are further enjoined from altering or destroying  
3 their books and records (including, without limitation, email and electronic records)  
4 relating to the manufacture, distribution, acquisition and sale of goods that contain,  
5 or may have contained, counterfeit or infringing Yu-Gi-Oh! TCG cards or other  
6 counterfeit or infringing merchandise bearing the Konami trademarks, or any  
7 confusingly similar mark.

8 This Permanent Injunction does not vacate or otherwise affect the  
9 preliminary injunctions issued by the Court on October 29, 2008 and  
10 February 26, 2009.

11  
12  
13 Dated: June 3, 2009

  
\_\_\_\_\_  
The Hon. Valerie Baker Fairbank  
United States District Judge

14  
15 Dated: June 2, 2009  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28